TABLE OF LEAD ARTICLES—AUTHORS

BOEHM, TED—Carl H. Fulda: A Friend's Tribute 471
BROWN, D.N. & BROWN, C.G., III—State Regulation of the Nonprofit Health Insurance Industry at the Approach of National Health Insurance: Goals, Procedures and Rationale 17
COHEN, MANUEL F. AND HACKER, ROBERT C.—Applicability of the Investment Company Act of 1940 to Real Estate Syndications 482
FEHELEY, LAWRENCE F.—Amendments to the National Labor Relations Act: Health Care Institutions 235
HANDEL, RICHARD C.—The Role of the Advocate in Securing the Handicapped Child's Right to an Effective Minimal Education 349
HERMAN, LAWRENCE—Warrants for Arrest or Search: Impeaching The Allegations of a Facially Sufficient Affidavit 721
KOZYRIS, Ph. JOHN—Advertising Intrusion, Assault on the Senses, Trespass on the Mind—A Remedy Through Separation 299
MATHEWS, ROBERT E.—Carl H. Fulda 479
PETERSON, CRAIG A.—Flexibility in Rezonings and Related Governmental Land Use Decisions 499
SCHWARTZ, VICTOR E.—Rights of a Father with Regard to His Illegitimate Child 1
THOMAS, ALEXANDER—Transfers of Land to the State for Conservation Purposes: Methods, Guarantees, and Tax Analysis for Prospective Donors 545
VAN ALSTYNE, WILLIAM—The Role of Congress in Determining Incidental Powers of the President and of the Federal Courts: A Comment on the Horizontal Effect of "The Sweeping Clause" 788
WILCOX, ROBERT A. AND SCHNEIDER, CHARLES A.—Prepaid Legal Services and The Code of Professional Responsibility 761

TABLE OF CONTENTS—TITLE

ADVERTISING INTRUSION, ASSAULT ON THE SENSES: TRESPASS ON THE MIND—A REMEDY THROUGH SEPARATION —Ph. John Kozyris 299
AMENDMENTS TO THE NATIONAL LABOR RELATIONS ACT: HEALTH CARE INSTITUTIONS—Lawrence F. Feheley 235
APPLICABILITY OF THE INVESTMENT COMPANY ACT OF 1940 TO REAL ESTATE SYNDICATIONS—Manuel F. Cohen and Robert C. Hacker 482
CARL H. FULDA: A FRIEND'S TRIBUTE—Ted Boehm 471
CARL H. FULDA—Robert E. Mathews 479
FLEXIBILITY IN REZONINGS AND RELATED GOVERNMENTAL LAND USE DECISIONS—Craig A. Peterson 499
PREPAID LEGAL SERVICES AND THE CODE OF PROFESSIONAL RESPONSIBILITY—Robert A. Wilcox and Charles A. Schneider 761
RIGHTS OF A FATHER WITH REGARD TO HIS ILLEGITIMATE CHILD—Victor E. Schwartz 1
THE ROLE OF THE ADVOCATE IN SECURING THE HANDICAPPED CHILD'S RIGHT TO AN EFFECTIVE MINIMAL EDUCATION—Richard C. Handel 349

THE ROLE OF CONGRESS IN DETERMINING INCIDENTAL POWERS OF THE PRESIDENT AND OF THE FEDERAL COURTS: A COMMENT ON THE HORIZONTAL EFFECT OF "THE SWEEPING CLAUSE"—William Van Alstyne 788
STATE REGULATION OF THE NONPROFIT HEALTH INSURANCE INDUSTRY AT THE APPROACH OF NATIONAL HEALTH INSURANCE: GOALS, PROCEDURES AND RATIONALE—David N. Brown and Charles G. Brown 17
TRANSFERS OF LAND TO THE STATE FOR CONSERVATION PURPOSES: METHODS, GUARANTEES, AND TAX ANALYSIS FOR PROSPECTIVE DONORS 545
WARRANTS FOR ARREST OR SEARCH: IMPEACHING THE ALLEGATIONS OF A FACIALLY SUFFICIENT AFFIDAVIT—Lawrence Herman 721

BOOK REVIEWS—AUTHORS

ETZIONI, AMITAI: GENETIC FIX—Joseph Weiss 56
FRIEDMAN, LAWRENCE: A HISTORY OF AMERICAN LAW—Stephen J. Spitz 376
MANDELKER, DANIEL R.: HOUSING SUBSIDIES IN THE UNITED STATES AND ENGLAND—Frank Sengstock 60

BOOK REVIEWS—REVIEWERS

SENGSTOCK, FRANK—Daniel R. Mandelker, Housing Subsidies in the United States and England 60
SPITZ, STEPHEN J.—Lawrence Friedman, A History of American Law .. 376
WEISS, JOSEPH—Amatai Etzioni, Genetic Fix 56

COMMENTS AND NOTES

AFFIRMATIVE DEFENSES IN OHIO AFTER MULLANEY V. WILBUR 828
COLLECTIVE BARGAINING BY UNIVERSITY AND COLLEGE FACULTIES UNDER THE NATIONAL LABOR RELATIONS ACT 71
THE DISCRETIONARY AWARD OF ATTORNEY'S FEES BY THE FEDERAL COURTS: SELECTIVE DEVIATION FROM THE NO-FEE RULE AND THE REGRETTABLY BRIEF LIFE OF THE PRIVATE ATTORNEY GENERAL DOCTRINE 588
THE ISSUANCE OF SECURITIES IN REORGANIZATIONS AND ARRANGEMENTS UNDER THE BANKRUPTCY ACT AND THE PROPOSED BANKRUPTCY ACT 380
JURISDICTION OVER STATE BANKS: DOES THE BANK HOLDING COMPANY ACT PRE-EMPT STATE REGULATION? 114
LABOR'S ANTITRUST EXEMPTION AFTER CONNELL 852
THE LOANED SERVANT DOCTRINE IN OHIO 681
THE OHIO DIVISION OF SECURITIES: RULEMAKING, THE ADMINISTRATIVE PROCEDURE ACT AND THE OHIO SECURITIES BULLETIN 662

PITFALLS ASSOCIATED WITH THE OHIO SAVING STATUTE 876
THE "RIGHT" TO A NEUTRAL AND COMPETENT JUDGE IN OHIO'S MAYOR'S COURTS 889
SEARCH OF A MOTOR VEHICLE INCIDENT TO A TRAFFIC ARREST: THE OUTLOOK AFTER ROBINSON AND GUSTAFSON . 97
SHIPPING CONTAINERS AS ORIGINAL PACKAGES: ARE CONTAINERIZED IMPORTS IMMUNE? 421
STATE TORT ACTIONS FOR LIBEL AFTER GERTZ V. ROBERT WELCH, INC.: IS THE BALANCE OF INTEREST LEANING IN FAVOR OF THE NEWS MEDIA? 697
SUBCLASSES—THE TEST CAST CONCEPT—EISEN V. CARLISLE & JACQUELIN 911

CASE NOTES

CONSTITUTIONAL LAW—Fifth Amendment—Suspect's Confusion About Miranda Rights—*People v. Madison*, 56 Ill. 2d 476, 309 N.E.2d 11 (1974) and *State v. Jones*, 37 Ohio St. 2d 21, 306 N.E.2d 409 (1974) 220
CONSTITUTIONAL LAW—Libel Action—Private Plaintiff versus Member News Media—An Application Of *Gertz v. Robert Welch, Inc.*—Walker v. Colorado Springs Sun, Inc., 538 P.2d 450 (Colo. Sup. Ct. 1975) 929
CONSTITUTIONAL LAW—The Right to Counsel in Ohio Involuntary Civil Commitment Proceedings—*In re* Fisher, 39 Ohio St. 2d 71 (1974) 436
CONSTITUTIONAL LAW—The Right to Travel As A Limitation Upon The Exercise Of The Zoning Power—*Construction Industry Association v. City of Petaluma*, 375 F. Supp. 574 (N.D. Cal. 1974) 128
CRIMINAL LAW—Fourth Amendment—Warrantless Searches And Seizures Of Automobiles—*Cardwell v. Lewis*, 417 U.S. 593 (1974) 190
ENVIRONMENTAL LAW—The Federal Courts And Attorneys' Fees For The Private Attorney General In Environmental Cases—*Wilderness Society v. Morton*, 495 F.2d 1026 (D.C. Cir. 1974) 201
FAMILY LAW—Ohio's Statutory Requirement Of Legal Guardian Consent To Adoption And Its Effect On The Jurisdiction Of The Probate Court—*State* ex rel. *Portage County Welfare Dept. v. Summers*, 38 Ohio St. 2d 144, 311 N.E.2d 6 (1974) 451
FEDERAL CIVIL PROCEDURE—Rule 23.1—The Need for Findings of Facts and Conclusions of Law in the Approval of Proposed Settlements of Shareholder Derivative Actions—*Greenspan v. Bogan*, 492 F.2d 375 (1st Cir. 1974) 163
FEDERAL INCOME TAXATION—The Effect of Family Hostility upon the Attribution Rules in the "Essentially Equivalent to a Dividend Test" —*Robin Haft Trust v. Commissioner*, 510 F.2d 43 (1st Cir. 1975) 947
FEDERAL INCOME TAXATION—Research and Experimental Expenditures in Anticipation of Entering a Trade or Business Held To Be Deductible Under § 174—*Snow v. Commissioner*, 416 U.S. 500 (1974) 175
SECURITIES LAW—Commission Rates—Immunity of Securities Exchanges from Antitrust Laws—*Gordon v. New York Stock Exchange*, 498 F.2d 1303 (2d Cir. 1974) 145

SUBJECT INDEX

ADMINISTRATIVE PRACTICE

The Ohio Division of Securities: Rulemaking, The Administrative Procedure Act and the Ohio Securities Bulletin 662

AGENCY

The Loaned Servant Doctrine in Ohio 681

ANTITRUST

Labor's Antitrust Exemption After Connell 852

CIVIL PROCEDURE

The Discretionary Award of Attorney's Fees by the Federal Courts: Selective Deviation from the No-Fee Rule and the Regrettably Brief Life of the Private Attorney General Doctrine 558

Pitfalls Associated With The Ohio Saving Statute 876

The Need for Findings of Fact and Conclusions of Law in the Approval of Proposed Settlements of Shareholder Derivative Actions—*Greenspan v. Bogan*, 492 F.2d 375 (1st Cir. 1974) 163

Subclasses—The Test Case Concept—Eisen v. Carlisle & Jacquelin 911

CONSTITUTIONAL LAW

Fifth Amendment—Suspect's Confusion About Miranda Rights—*People v. Madison*, 56 Ill. 2d 476, 309 N.E.2d 11 (1974) and *State v. Jones*, 37 Ohio St. 2d 21, 306 N.E.2d 409 (1974) 220

Libel Action—Private Plaintiff versus Member News Media—An Application of *Gertz v. Robert Welch, Inc.*—Walker v. Colorado Springs Sun, Inc., 538 P.2d 540 (Colo. Sup. Ct. 1975) 929

The Role of Congress in Determining Incidental Powers of the President and of the Federal Courts: A Comment on the Horizontal Effect of "The Sweeping Clause" 788

The Right to Counsel in Ohio Involuntary Civil Commitment Proceedings—*In re* Fisher, 39 Ohio St. 2d 71 (1974) 436

The Right to Travel as a Limitation upon the Exercise of the Zoning Power—*Construction Industry Association v. City of Petaluma*, 375 F. Supp. 574 (N.D. Cal. 1974) 128

State Tort Actions for Libel After Gertz v. Robert Welch, Inc.: Is the Balance of Interest Leaning in Favor of the News Media? 697

COURTS

The "Right" to a Neutral and Competent Judge in Ohio's Mayor's Courts . 889

CRIMINAL LAW

Fourth Amendment—Warrantless Searches and Seizures of Automobiles—*Cardwell v. Lewis*, 417 U.S. 593 (1974) 190

CRIMINAL PROCEDURE

Affirmative Defenses in Ohio after Mullaney v. Wilbur 828
Fifth Amendment—Suspect's Confusion About Miranda Rights—*People v. Madison*, 56 Ill. 2d 476, 309 N.E.2d 11 (1974) and *State v. Jones*, 37 Ohio St. 2d 21, 306 N.E.2d 409 (1974) 220
Warrants for Arrest or Search: Impeaching the Allegations of a Facially Sufficient Affidavit 721

ENVIRONMENTAL LAW

The Discretionary Award of Attorney's Fees by the Federal Courts: Selective Deviation from the No-Fee Rule and the Regrettably Brief Life of the Private Attorney General Doctrine 71
The Federal Courts and Attorneys' Fees for the Private Attorney General in Environmental Cases—*Wilderness Society v. Morton*, 495 F.2d 1026 (D.C. Cir. 1974) 201
Transfers of Land to the State for Conservation Purposes: Methods, Guarantees, and Tax Analysis for Prospective Donors 545

EVIDENCE

Affirmative Defenses in Ohio after Mullaney v. Wilbur 828

FAMILY LAW

Ohio's Statutory Requirement of Legal Guardian Consent to Adoption and Its Effect on the Jurisdiction of the Probate Court—*State* ex rel. *Portage County Welfare Dept. v. Summers*, 38 Ohio St. 2d 144, 311 N.E.2d 6 (1974) 451
Rights of a Father with Regard to his Illegitimate Child 1

FEDERAL INCOME TAX

The Effect of Family Hostility upon the Attribution Rules in the "Essentially Equivalent to a Dividend Test"—*Robin Haft v. Commissioner*, 510 F.2d 43 (1st Cir. 1975) 947
Research and Experimental Expenditures in Anticipation of Entering a Trade or Business Held to be Deductible Under § 174—*Snow v. Commissioner*, 416 U.S. 500 (1974) 175

GROUP LEGAL SERVICES

Prepaid Legal Services and the Code of Professional Responsibility 761

HOUSING

HOUSING SUBSIDIES IN THE UNITED STATES AND ENGLAND by Daniel R. Mandelker, Book Review 60

IN MEMORIAM

Carl H. Fulda: A Friend's Tribute 471
Carl H. Fulda 479

LABOR

Amendments to the National Labor Relations Act: Health Care Institutions 235
Collective Bargaining by University and College Faculties Under the National Labor Relations Act 71
Labor's Antitrust Exemption After Connell 852

LAND USE

Flexibility in Rezonings and Related Government Land Use Decisions 499
The Right to Travel as a Limitation upon the Exercise of the Zoning Power—*Construction Industry Association v. City of Petaluma*, 375 F. Supp. 574 (N.D. Cal. 1974) 128

LEGAL HISTORY

A HISTORY OF AMERICAN LAW by Lawrence Friedman, Book Review 376

LEGAL MEDICINE

GENETIC FIX by Amitai Etzioni, Book Review 56

MASS MEDIA

Advertising Intrusion, Assault on the Senses, Trespass on the Mind—A Remedy Through Separation 299

MENTAL DISABILITY

The Right to Counsel in Ohio Involuntary Civil Commitment Proceedings—*In re* Fisher, 39 Ohio St. 2d 71 (1974) 436
The Role of the Advocate in Securing the Handicapped Child's Right to an Effective Minimal Education 349

REGULATED INDUSTRIES

Jurisdiction Over State Banks: Does the Bank Holding Company Act Pre-Empt State Regulation? 114
State Regulations of the Nonprofit Health Insurance Industry at the Approach of National Health Insurance: Goals, Procedures and Rationale 17

SEARCH AND SEIZURE

Fourth Amendment—Warrantless Searches and Seizures of Automobiles—*Cardwell v. Lewis*, 417 U.S. 593 (1974) 190
Search of a Motor Vehicle Incident to a Traffic Arrest: The Outlook after Robinson and Gustafson 97
Warrants for Arrest or Search: Impeaching the Allegations of a Facially Sufficient Affidavit 721

SECURITIES

Applicability of the Investment Company Act of 1940 to Real Estate Syndications 482
Commission Rates—Immunity of Securities Exchanges From Antitrust Laws—*Gordon v. New York Stock Exchange*, 498 F.2d 375 (1st Cir. 1974) . 145
The Issuance of Securities in Reorganizations and Arrangements Under the Bankruptcy Act and the Proposed Bankruptcy Act 380
The Ohio Division of Securities: Rulemaking, the Administrative Procedure Act and the Ohio Securities Bulletin 662

TAXATION

Shipping Containers as Original Packages: Are Containerized Imports Immune? 421